



Honorable Linda B. Riegle
United States Bankruptcy Judge



Entered on Docket
December 21, 2011

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**Order Setting Status Conference on
Response of Stoebling Family Trust to
Fourth Omnibus Objection of USACM
Liquidating Trust To Proofs Of Claim
Based Entirely Upon Investment in Fiesta
Oak Valley Loan**

Hearing Date: November 15, 2011

Hearing Time: 9:30 a.m.

Status Hearing Date: January 19, 2012

Hearing Time: 10:00 a.m.

The Status hearing on the response of Stoebling Family Trust [DE 9265]
("Stoebling Response") to Fourth Omnibus Objection Of USACM Trust To Proofs Of
Claim Based Entirely Upon Investment in Fiesta Oak Valley Loan [DE 9072] (the
"Objection") re Proof of Claim No. 10725-00945 came before the Court for consideration

1 on November 15, 2011, at 9:30 a.m.; notice of the hearing was provided to Stoebling
2 Family Trust ("Stoebling Trust"); counsel for the Trustee appeared and asked that the
3 status conference be continued; good cause now appearing,

4 IT IS ORDERED:

5 1. A status conference is set before this Court for **January 19, 2012 at 10:00**
6 **a.m.** at the U.S. Bankruptcy Court, 300 Las Vegas Boulevard South, Courtroom # 1, Las
7 Vegas, NV 89101 regarding the Objection as it relates to only Proof of Claim No. 10725-
8 00945 filed by Stoebling Trust.

9 2. Prior to the January 19, 2012 status conference, the parties shall begin the
10 process set forth in the Alternative Dispute Resolution Agreement filed as Exhibit B to the
11 Direct Lender Supplement To Debtors' Third Amended Joint Chapter 11 Plan Of
12 Reorganization [DE 1887].

13 3. The Stoebling Trust representative may appear telephonically at the status
14 conference on January 19, 2012 by sending a written request to the Honorable Linda B.
15 Riegle, U.S. Bankruptcy Court; 300 Las Vegas Boulevard South; Las Vegas, NV 89101 or
16 by sending a facsimile request to 702-527-7015. The written request must be received by
17 the Court on or before January 10, 2012 or it will be denied without good cause shown for
18 failing to timely request permission to appear telephonically.

19 4. Once the Court grants the Stoebling Trust permission to appear
20 telephonically, the Stoebling Trust should contact CourtCall at least 48 hours prior to the
21 hearing by telephone at 1-888-882-6878, or by facsimile at 888-883-2946, to make
22 arrangements for the telephonic appearance. CourtCall will require the Stoebling Trust. to
23 provide the Court location, Judge's name, case name, case number, and date and time of
24 the hearing. CourtCall charges are to be paid by claimant.

1 PREPARED AND RESPECTFULLY SUBMITTED BY:

2 **LEWIS AND ROCA LLP**

3
4 By /s/ John Hinderaker (AZ #018024)

5 Robert M. Charles, Jr.

6 John Hinderaker (*pro hac vice*)

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11 *Attorneys for USACM Liquidating Trust*

LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

| | |
|---|---|
| U.S. Trustee: <u>August B. Landis, U.S. Trustee</u> | |
| <input type="checkbox"/> approved the form of this order | <input type="checkbox"/> disapproved the form of this order |
| <input checked="" type="checkbox"/> waived the right to review the order and/or | <input type="checkbox"/> failed to respond to the document |
| Other Party: _____ | |
| <input type="checkbox"/> approved the form of this order | <input type="checkbox"/> disapproved the form of this order |
| <input type="checkbox"/> waived the right to review the order and/or | <input type="checkbox"/> failed to respond to the document |

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker (AZ #018024)
Attorneys for USACM Liquidating Trust

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